United Nations A/C.1/71/L.68

General Assembly

Distr.: Limited
14 October 2016

Original: English

Seventy-first session

First Committee

Agenda item 98 (mm)

General and complete disarmament: countering the threat posed by improvised explosive devices

Afghanistan, Angola, Australia, Bulgaria, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Kazakhstan, Latvia, Lithuania, Luxembourg, Maldives, Mali, Netherlands, Papua New Guinea, Portugal, Slovakia and Slovenia: draft resolution

Countering the threat posed by improvised explosive devices

The General Assembly,

Recalling its resolution 70/46 of 7 December 2015,

Expressing grave concern over the devastation caused by the increasing use of improvised explosive devices by illegal armed groups, terrorists and other unauthorized recipients,[1] which has affected a large number of countries and has resulted in thousands of casualties, both civilian and military,

Expressing concern at the serious harm that such improvised explosive device attacks have caused to United Nations staff and peacekeepers, and to humanitarian workers, by threatening their lives, increasing the cost of their activities, limiting their freedom of movement and affecting their ability to deliver on their mandates,

Expressing concern also about the negative impact of these attacks on socioeconomic development, infrastructure and freedom of movement, and the security and stability of States, and thus underlining the need to address this issue in order to achieve relevant goals and targets under the 2030 Agenda for Sustainable Development,[2] in particular target 16.1 on significantly reducing all forms of violence and related death rates everywhere,

Recognizing that the wide spectrum of materials that can be used for the manufacture of improvised explosive devices, including those sourced from the military and civilian industry, contributes to their diverse nature and their

[1] See resolution 69/51 and A/CONF.192/BMS/2014/2 and A/71/187.

[2] Resolution 70/1.

Please recycle

deployment methods, which thus requires an appropriate approach to the formulation of measures to counter them,

Noting that the impact of improvised explosive devices spans a wide array of policy areas and that, owing to the extent of the cross-cutting nature of the issue, a whole-of-government approach focusing on the capacity of Governments to effectively bring together several policy strands for comprehensive action is essential,

Underlining the important role that States can play in raising awareness among private sector entities about the possible theft, diversion and misuse of their products to make improvised explosive devices, with a view to enabling business entities to develop effective strategies to counter the threat of improvised explosive devices,[3] including to prevent the adverse impact of the diversion of materials and the potential loss of revenue and risk to reputation,

Stressing the paramount need to prevent illegal armed groups, terrorists and other unauthorized recipients from, and identify the networks that support them in, obtaining, handling, financing, storing, using or seeking access to all types of explosives, whether military or civilian, as well as other military or civilian materials and components that can be used to manufacture improvised explosive devices, including detonators, detonating cords and chemical components, while at the same time avoiding any undue restrictions on the legitimate use of those materials,

Stressing also the importance of securing conventional ammunition stockpiles in order to mitigate the risk of their diversion to illicit use as materials for improvised explosive devices,

Stressing further the importance of engagement by all Member States in a comprehensive and coordinated community of action to counter the global threat posed by improvised explosive devices in the hands of illegal armed groups, terrorists and other unauthorized recipients, taking into account national capacities,

Noting that, at the global level, organizations across many sectors have expertise that can contribute to a useful set of measures for the mitigation of improvised explosive devices, and noting also the value of the considered and coordinated efforts of various stakeholders, including intergovernmental organizations, with a view to investing effectively in coordination and information exchange,

Noting also the discussions on the issue of improvised explosive devices by the informal group of experts under the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices as amended on 3 May 1996 (Amended Protocol II)[4] and on the technical annex to the Protocol on Explosive Remnants of War (Protocol V)[5] to the Convention on Prohibitions or Restrictions on

[3] See the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

[4] United Nations, *Treaty Series*, vol. 2048, No. 22495.

[5] Ibid., vol. 2399, No. 22495.

the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[6]

Noting further the multilateral efforts to counter improvised explosive devices of the Programme Global Shield, led by the World Customs Organization and assisted by the International Criminal Police Organization (INTERPOL) and the United Nations Office on Drugs and Crime, to prevent the smuggling and illicit diversion of precursor chemicals that could be used to build improvised explosive devices, the network of regional and multilateral communities of action established by States to counter improvised explosive devices, the research on those devices undertaken by the United Nations Institute for Disarmament Research and the work undertaken by the Mine Action Service of the United Nations to mitigate the threat posed by those devices to civilians, United Nations staff, peacekeepers and humanitarian personnel, in particular in the field,

Taking note of relevant conventions and international frameworks, inter alia the International Convention for the Suppression of Terrorist Bombings[7] and the United Nations Global Counter-Terrorism Strategy,[8] and reaffirming that States must ensure that any measure taken to combat terrorism complies with their obligations under applicable international law, in particular international human rights, refugee and humanitarian law,

Reaffirming the inherent right of Member States to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

1. *Welcomes* the report of the Secretary-General[9] submitted pursuant to resolution 70/46, and takes note of the recommendations contained therein;

2. *Recognizes* that existing approaches in multilateral arms regulation have limited value when addressing the issue of improvised explosive devices, and therefore strongly urges States to develop and implement, where appropriate, all national measures, including outreach and partnerships with the private sector, necessary to promote awareness and vigilance among their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and/or storage of precursor components and materials that could be used to make improvised explosive devices;

3. *Strongly encourages* States, where appropriate and while bearing in mind their obligations under applicable international law, to develop and adopt their own national policy to counter improvised explosive devices that includes civilian-military cooperation so as to strengthen their countermeasure capability to combat illegal armed groups, terrorists and other unauthorized recipients in their use of improvised explosive devices, and notes that the policy could include measures to support international and regional efforts to prevent, protect against, respond to, recover from and mitigate attacks using improvised explosive devices and their widespread consequences;

[6] Ibid., vol. 1342, No. 22495.
[7] Ibid., vol. 2149, No. 37517.
[8] Resolution 60/288.
[9] A/71/187.

4. *Stresses* the need for States to take appropriate measures to strengthen the management of their national ammunition stockpiles to prevent the diversion of materials for making improvised explosive devices to illicit markets, illegal armed groups, terrorists and other unauthorized recipients, and encourages the application of the International Ammunition Technical Guidelines for the safer and more secure management of ammunition stockpiles, while also recognizing the importance of capacity-building in this regard;[10]

5. *Underlines* that, for the issue of improvised explosive devices to be effectively addressed, it is essential to comprehend the importance of action needed at the local and community levels; through activities ranging from awareness-raising with local retailers and intelligence-gathering to establishing deradicalization programmes, Governments will need to engage continuously with local authorities and groups;

6. *Encourages* States to enhance, as appropriate, international and regional cooperation, including the sharing of information on good practices as appropriate and where relevant, in cooperation with the International Criminal Police Organization (INTERPOL) and the World Customs Organization, in order to address the theft, diversion, loss and illicit use of materials for making improvised explosive devices, while ensuring the security of sensitive information that is shared;

7. *Also encourages* States to take measures to stem the transfer of knowledge of improvised explosive devices and their construction and use by illegal armed groups, terrorists and other unauthorized recipients, as well as the illicit acquisition of components over the Internet;

8. *Further encourages* States to participate, in accordance with their obligations and commitments, in the ongoing work on improvised explosive devices by the informal group of experts under the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices as amended on 3 May 1996 (Amended Protocol II)[9] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;[8]

9. *Encourages* States to participate, as appropriate, in a comprehensive and coordinated community of action to counter improvised explosive devices in accordance with their respective international obligations and commitments, and to consider supporting the Programme Global Shield, the proposal for a counter-improvised explosive device global alliance emanating from the inaugural International Counter-Improvised Explosive Device Leaders' Forum, held in Canberra from 2 to 4 September 2015, and other multilateral and regional efforts;

10. *Encourages* States and international, regional and other organizations with relevant expertise and that are in a position to do so to render to interested States, upon their request, technical, financial and material assistance aimed at strengthening the capacity of such States to counter the threat of improvised explosive devices, including through assistance for developing good practices for

[10] The General Assembly, in its resolution 66/42, welcomed the completion of the International Ammunition Technical Guidelines and the establishment of the "SaferGuard" knowledge resource management programme for the stockpile management of conventional ammunition.

the protection of civilians from attacks using improvised explosive devices, and to provide appropriate assistance to the victims of such attacks;

11. *Encourages* States to respond to the needs of today's peacekeepers to operate in new threat environments involving improvised explosive devices, including by providing, in consultation with the Department of Peacekeeping Operations of the Secretariat, the appropriate training, capabilities, information and knowledge management and technology that is required to counter improvised explosive devices, and to ensure that adequate financial resources are allocated to meet such needs;

12. *Recognizes* that improvised explosive devices are used in terrorist activities, takes note of the work of the Counter-Terrorism Implementation Task Force, and urges its further attention to the issue of improvised explosive devices in line with the mandates of its associated entities;

13. *Urges* Member States to fully comply with all relevant United Nations resolutions, including those related to preventing terrorist groups from using and accessing materials that can be used in the making of improvised explosive devices;[11]

14. *Stresses* that good governance, compliance with human rights and the rule of law, effective measures and mechanisms for addressing the marginalization and grievances of specific groups, including minorities and women, and promoting sustained and inclusive socioeconomic growth should be seen as important conditions for comprehensively addressing the issue of improvised explosive devices;

15. *Encourages* States and relevant international and regional organizations and non-governmental organizations to continue to build upon existing awareness and risk education campaigns regarding the urgent threat of improvised explosive devices;

16. *Encourages* States and relevant international and regional organizations to engage, as appropriate, business entities in discussions and initiatives on countering improvised explosive devices, including on issues such as accountability for dual-use components, improving the regulation of explosive precursors, where possible and as appropriate, strengthening security for the transport of explosives and at explosive facilities, as well as enhancing the vetting procedures for personnel with access to explosives, while avoiding undue restrictions on the legitimate use of and access to such materials;

17. *Strongly encourages* States to share information on a voluntary basis on the diversion of commercial-grade explosives and commercially available detonators to the illicit trade, and transfers to illegal armed groups, terrorists and other unauthorized recipients, through relevant channels including, but not limited to, the INTERPOL Chemical Anti-Smuggling Enforcement programme, its Chemical Risk Identification and Mitigation programme and Programme Global Shield of the World Customs Organization;

[11] Including Security Council resolutions 1373 (2001), 2160 (2014), 2161 (2014) and 2199 (2015).

18. *Takes into account* the existing initiatives at the international, regional and national levels to counter improvised explosive devices, and encourages the engagement by States in an open and inclusive dialogue on steps forward to harmonize diverse ongoing efforts;

19. *Urges* States in a position to do so to contribute funding to the diverse areas of work needed to effectively address the issue of improvised explosive devices, including research, clearance, ammunition stockpile management, combating violent extremism, awareness-raising, capacity-building, information management and victim assistance, through existing trust funds and arrangements, including those of the Counter-Terrorism Implementation Task Force, the United Nations Institute for Disarmament Research, the Office for Disarmament Affairs of the Secretariat and the Voluntary Trust Fund for Assistance in Mine Action, or through regional or national programmes;

20. *Requests* the Office for Disarmament Affairs to establish, where feasible and in coordination with other relevant entities, an online hub providing impartial, authoritative information relevant to addressing the issue of improvised explosive devices in a comprehensive manner, thus facilitating access to existing initiatives, policies and tools presenting good practices, inside and outside of the United Nations system, filling gaps where needed but avoiding duplication;

21. *Encourages* States in a position to do so to support the United Nations Institute for Disarmament Research, in consultation with relevant bodies of the United Nations system, in developing a voluntary self-assessment tool to assist States in identifying gaps and challenges in their national regulation and preparedness regarding improvised explosive devices;

22. *Recognizes* the important contribution of civil society to addressing the issue of improvised explosive devices, including in clearance, awareness-raising, risk education, victim assistance and preventing violent extremism, in particular at the local and community levels;

23. *Requests* the Secretary-General to report to the General Assembly at its seventy-third session on the implementation of the present resolution, acknowledging and taking into account existing efforts and seeking the views of Member States;

24. *Encourages* States to hold open, informal consultations, where appropriate, in preparation for the seventy-second session of the General Assembly, focusing on matters of coordination between the various existing initiatives and approaches relating to improvised explosive devices within the United Nations system and beyond, with information provided by States, international and regional organizations, as well as experts from non-governmental organizations, on efforts to prevent, counter and mitigate the threat posed by improvised explosive devices, which could thus assist the Assembly in maintaining a comprehensive overview of relevant global activities;

25. *Decides* to include in the provisional agenda of its seventy-second session, under the item entitled "General and complete disarmament", the sub-item entitled "Countering the threat posed by improvised explosive devices".